

REMARKS

Summary

Claims 1-12, 14-15 and 19 stand in this application. Claims 1, 10, 12, 14, 15, 17 and 18 have been amended. Claims 13 and 16 have been canceled without prejudice. No new matter has been added. Favorable reconsideration and allowance of the standing claims are respectfully requested.

Although Applicant disagrees with the broad grounds of rejection set forth in the Office Action, Applicant has amended claims 1, 10, 14, 15, 17 and 18 in order to facilitate prosecution on the merits. Applicant submits that support for the above amendments can be found in the specification at least at page 13.

35 U.S.C. § 102

At page 2, paragraph 6 of the Office Action claims 1-6, 15-17 and 19 stand rejected under 35 U.S.C. § 102 as being anticipated by US 2003/0185220 to Valenci (“Valenci”). At page 6, paragraph 7 of the Office Action claims 1-2, 7-9, 15-16 and 18 stand rejected under 35 U.S.C. § 102 as being anticipated by US 6,904,057 to Sarkinen (“Sarkinen”). Applicant respectfully traverses the rejections, and requests reconsideration and withdrawal of the anticipation rejections.

Applicant respectfully submits that to anticipate a claim under 35 U.S.C. § 102, the cited reference must teach every element of the claim. *See* MPEP § 2131, for example. Applicant submits that Valenci and Sarkinen fail to teach each and every element recited in claims 1-9 and 15-19 and thus they define over both Valenci and

Sarkinen. For example, with respect to claim 1, Valenci and Sarkinen fail to teach, among other things, the following language:

a configuration module to store configuration information including instructions to reconfigure one or more hardware elements; and

a hardware-based parsing module to connect to said configuration module...to...reconfigure a set of hardware elements to parse said frame based on the retrieved configuration information.

Applicant respectfully submits that the above recited language of amended independent claim 1 defines over both Valenci and Sarkinen.

Applicant respectfully submits that Valenci, arguably, teaches a dynamic parser that is capable of using dynamically loaded parsing rules to change the behavior of the parser. Applicant respectfully submits that Sarkinen, arguably, teaches a software based parsing engine that is loaded with different parsing instruction algorithms to manage different packet types. By way of contrast, the claimed subject matter teaches a hardware based parsing module capable of reconfiguring a set of hardware elements based on retrieved configuration information.

Applicant respectfully submits that this reconfiguring a set of hardware elements based on retrieved configuration information, as recited in claim 1, is different than the above recited teachings of Valenci and Sarkinen. Consequently, Valenci and Sarkinen fail to disclose all the elements or features of the claimed subject matter. Accordingly, Applicant respectfully requests removal of the anticipation rejection with respect to claim 1. Furthermore, Applicant respectfully requests withdrawal of the anticipation rejection

Appl. No. 10/728,552
Response Dated April 8, 2008
Reply to Office Action of January 8, 2008

Docket No.: 1020.P17478
Examiner: Juntima, Nittaya
TC/A.U. 2616

with respect to claims 2-9, which depend from claim 1 and, therefore, contain additional features that further distinguish these claims from Valenci and Sarkinen.

Claim 15 has been amended to recite features similar to those recited in claim 1. Therefore, Applicant respectfully submits that claim 15 is not anticipated and is patentable over Valenci and Sarkinen for reasons analogous to those presented with respect to claim 1. Accordingly, Applicant respectfully requests removal of the anticipation rejection with respect to claim 15. Furthermore, Applicant respectfully requests withdrawal of the anticipation rejection with respect to claims 17-19 that depend from claim 15, and therefore contain additional features that further distinguish these claims from Valenci and Sarkinen.

35 U.S.C. § 103

At page 9, paragraph 9 of the Office Action claim 10 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over EP 0 852 448 to Korpela (“Korpela”) in view of Sarkinen. At page 10, paragraph 10 of the Office Action claims 11-14 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Korpela in view of Sarkinen and further in view of US 7,184,722 to Johnson (“Johnson”). Applicant respectfully traverses the rejections, and requests reconsideration and withdrawal of the obviousness rejections.

Applicant respectfully submits, as recited above, that Sarkinen fails to teach, each and every element recited in independent claims 1 and 15. Applicant submits that claim 10 has been amended to recite features similar to those recited in claims 1 and 15. Moreover, Applicant submits that Korpela and Johnson fail to teach, suggest or disclose the above recited missing language. Therefore, Applicant respectfully submits that claim

10 is not obvious and is patentable over the cited references for reasons analogous to those presented with respect to claims 1 and 15 above. Accordingly, Applicant respectfully requests removal of the obviousness rejection with respect to claim 10. Furthermore, if an independent claim is non-obvious under 35 U.S.C. § 103, then any claim depending therefrom is non-obvious. *See MPEP § 2143.03*, for example. Accordingly, Applicant respectfully requests withdrawal of the obviousness rejection with respect to claims 11, 12 and 14 that depend from claim 10, and therefore contain additional features that further distinguish these claims from the cited references.

For at least the above reasons, Applicant submits that claims 1-12, 14-15 and 17-19 recite novel features not shown by the cited references. Further, Applicant submits that the above-recited novel features provide new and unexpected results not recognized by the cited references. Accordingly, Applicant submits that the claims are not anticipated nor rendered obvious in view of the cited references.

Applicant does not otherwise concede, however, the correctness of the Office Action's rejection with respect to any of the dependent claims discussed above. Accordingly, Applicant hereby reserves the right to make additional arguments as may be necessary to further distinguish the dependent claims from the cited references, taken alone or in combination, based on additional features contained in the dependent claims that were not discussed above. A detailed discussion of these differences is believed to be unnecessary at this time in view of the basic differences in the independent claims pointed out above.

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It is believed that claims 1-12, 14-15 and 17-19 are in allowable form.

Accordingly, a timely Notice of Allowance to this effect is earnestly solicited.

The Examiner is invited to contact the undersigned at 724-933-9338 to discuss any matter concerning this application.

The Office is hereby authorized to charge any additional fees or credit any overpayments under 37 C.F.R. § 1.16 or § 1.17 to deposit account 50-4238.

Respectfully submitted,

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John F. Kacvinsky, Reg. No. 40,040
Under 37 CFR 1.34(a)

Dated: April 8, 2008

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